

VZCZCXRO0438  
RR RUEHROV  
DE RUEHAM #2292/01 2131351  
ZNY CCCCC ZZH  
R 311351Z JUL 08  
FM AMEMBASSY AMMAN  
TO RUEHC/SECSTATE WASHDC 3245  
INFO RUEHXX/ARAB ISRAELI COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 03 AMMAN 002292

SIPDIS

DEPARTMENT FOR NEA/ELA AND NEA/IPA

E.O. 12958: DECL: 07/31/2023

TAGS: [PGOV](#) [PREL](#) [PTER](#) [JO](#) [IS](#)

SUBJECT: "WHAT ABOUT OUR PRISONERS?" JORDANIANS ASK AFTER  
ISRAEL-HIZBALLAH DEAL

REF: A. 07 AMMAN 2955

[1](#)B. AMMAN 1455

[1](#)C. AMMAN 1984

Classified By: Classified By: Charge D'Affaires Daniel Rubinstein  
for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary and Comment: Jordan's front pages have been crowded over the past two weeks with demands from local figures and advocacy groups for the release of four Jordanians, currently detained in Jordanian jails, who were turned over by Israel in July of 2007 (Ref A). These groups, including the Jordanian Muslim Brotherhood, have engaged in sit-ins and a media campaign and have called on the government to do more to secure the release of "tens" of other Jordanians incarcerated in Israel, and to determine the fate of others who went missing. Pressure and possible discomfort notwithstanding, the government's comments to date have been terse but consistent: there is no plan to release the prisoners or to abrogate the agreement made with Israel when the four - now in Qafqafa Prison - were turned over. Beyond the matter at hand, the public and media curiosity and frustration regarding the government's perceived closed-mouthedness about the prisoner agreement is just the latest example of the GOJ's finding itself behind the eight ball on controversial issues (Refs B and C). End Summary and Comment.

#### The Complaint

[1](#)2. (U) Speaking on Al-Jazirah's "Midday Guest" program on July 26, Maysarah Malas, of the National Committee for Jordanian Prisoners and Missing Persons in Israel, outlined the grievances of his group, which had just staged a sit-in in front of the Prime Ministry. There are, he claimed, about 28 Jordanian prisoners being held by Israel who cannot be visited by their families. Second, he asserted, there are about 25 Jordanians missing, including from Jordan's wars with Israel. Third, the four prisoners transferred last year to Jordan should have been released, and not merely be forced to exchange one cell for another. Malas accused the government of reaching "a dishonorable agreement with the Zionist entity... One of the clauses of this agreement, which we rejected at the time, calls for the release of these prisoners within 18 months or when other prisoners with similar cases are released in prisoner swaps with Arab resistance movements. Hero prisoner Samir Al-Kuntar was released but these four were not. Does the Jordanian government care about the Zionist public opinion or the Jordanian public opinion?"

#### Government Prepared to Wait It Out

[1](#)3. (C) The GOJ - including Foreign Minister Salah Al-Bashir, on July 28 - has publicly clarified that it does not plan to release the prisoners before the end of the agreed period,

citing a desire not to threaten efforts to get Israel to release other Jordanians in its custody. Separately, the Director of the Foreign Minister's Private Office, Jamal Al-Shamayleh, told PolCouns on July 29 that the prisoners only have three months to go and the GOJ felt that early release would needlessly irritate the Israelis to little advantage. Note: By the Israeli count they have several more months than that; see paragraph 9 below. End Note. Shamayleh did claim that when the prisoners were turned over to Jordan by Israel there was an exchange of letters and a telephone call between then-FM Abdelelah Al-Khatib and his Israeli counterpart Tzipi Livni providing that if the GOI released Palestinian prisoners, Jordanian prisoners would also be released. Shamayleh averred that the GOI is being legalistic and insisting that, because Kuntar is Lebanese, and he is only one prisoner, the deal is not activated.

¶4. (C) Shamayleh added that there are many (NFI) detainees in Israel who may have some tenuous connection to Jordan, but he dismissed many of their claims to be "Jordanian," asserting that there are few Palestinians anywhere in the world who do not have some kind of document that ties them to Jordan in some way. He said that he had seen the "lists" of Jordanian prisoners who can actually claim a Jordanian national number, and there are only 19.

Views from the Gallery on Qafqafa Kerfuffle  
-----

¶5. (C) The prisoners issue has spun the local commentariat into a tizzy. In one of the earlier comments on the matter, Islamist specialist (and Embassy contact) Mohammad Abu Rumman

AMMAN 00002292 002 OF 003

in the July 21 issue of the independent Arabic daily Al-Ghad took the government to task, asking rhetorically "is it not the strangest thing that the government would wait for the families of the four prisoners to ask for their immediate release?" Whereas the government could have turned the turnover of the prisoners to Jordan as a "political and diplomatic success," he argued, "it became a point against, as a concession to Israel." Some columnists focused on the side agreement described by Shamayleh - which the government has not publicly acknowledged - allowing for the release of the transferred prisoners if Israel released others. Al-Ghad columnist Jamil Nimri and Managing Editor Fahed Khitan of the opposition Arab nationalist daily Al-Arab Al-Yawm penned, respectively, "The Mystery Gets More Mysterious and the Government Gets More Involved," and "What is the Reality of the Agreement with Israel Regarding the Four Prisoners?" Senior Al-Arab Al-Yawm columnist Nahed Hattar wrote on July 30 that "Israel, which reached a very humiliating agreement with Hizballah, is dealing with Jordan with arrogance and cunning ... Israel's dealings with Jordan in this arrogant and insolent manner prove that bilateral relations with Israel are not good for Jordanian interests."

¶6. (C) PolOff and PDOff met on July 30 with Nadine Nimri, the diplomatic affairs correspondent for Al-Ghad, who has been reporting extensively on the story. She confirmed the frustration within the media and the Jordanian public with the government's unwillingness to discuss the terms of the deal with Israel. This perceived lack of straight answers is not only leading to misperceptions, she said, but is harming the government's credibility: "now it is very hard to believe anything." She noted claims by Islamist MP Hamza Mansour, which have been reported in the press, to the effect that Prime Minister Nader Dahabi pledged at a recent dinner gathering that the four prisoners will be freed in August. Note: In the same media reports, a senior official denied that such a pledge had been made. End Note. In this context Nimri offered up the interpretation that, because Jordan calculates a month of prison time as 21 days - not 30 or 31 - "18 months" is compressed by one third, allowing for the prisoners to be released by mid-August. Note: Post has not been able to determine the grounds for this claimed

peculiarity of the Jordanian justice system. End Note.

17. (C) Despite the media firestorm, there is at least some tolerance among our contacts for the government's position. MFA official Khaled Takhayneh told PolOff that he had received many calls from friends in local NGOs and human rights organizations pushing for Jordan to release the prisoners. He was also under the impression that the Foreign Minister's Private Office had been taking many calls. While he thought Jordan could conceivably approach the Government of Israel for an Israeli go-ahead to release the prisoners early (citing all the domestic pressure), in his opinion this would not be a good idea. "We agreed with Israel that we would implement the agreement, as is." Takhayneh assessed that the issue had been raised in the Jordanian consciousness even before the Israel-Hizballah exchange, several weeks earlier when Al-Jazirah broadcast an hour-long program on Jordanian prisoners in Israeli custody.

18. (C) Faisal al-Rfouh, Chairman of the Political Science Department at the University of Jordan, took a similar position. Per Rfouh, it was essential that Jordan respect its agreements with Israel for it is a sovereign nation - unlike the Hizballah militia - and has different responsibilities. In his view, the prisoners had acted against Jordanian interests and the Israeli-Jordanian peace treaty by crossing the border illegally and doing so at the behest of outside actors (NFI). "The interests of Jordan are more than the interests of a few people in jail." He offered only harsh words for the protesters, arguing that they were misguided souls who saw Hizballah and Iran as "the hope of the Ummah (Islamic nation)" yet they would only bring misery. "I don't like Israel, but I have to deal with them," said East Banker Rfouh. Letting the prisoners out of jail at this point would just encourage others to cross over the border to commit similar acts of terror, he judged. Fakhry Abu Shakra of the World Affairs Council was succinct: "I believe in agreements. If Israel sees that the first agreement was not respected, they won't release other prisoners." Despite the hullabaloo in the media, Abu Shakra dismissed the idea of a continuing groundswell of public pressure on the government. Meanwhile, political analyst and activist Jamal Al-Refai argued that while the agreement with Israel should be honored, Israel should demonstrate some sympathy for its Hashemite ally by withdrawing objections to their early release.

Israeli Embassy Dwells on the Principle

AMMAN 00002292 003 OF 003

-----

19. (C) The Israeli Embassy in Amman sees the affair as a matter of principle. Itai Bardov, Public Affairs and Political Counselor, told PolOff that "we are opposed to any early release. There was a deal that the prisoners would have at least 18 months left even though they had a lot more years on their sentence." They had infiltrated Israel and murdered four Israelis, Bardov explained, and while the agreement did say that if there were an exchange involving Palestinian prisoners, the issues could be linked, this was not automatic. At any rate he added, Kuntar was of Lebanese origin. "Jordan knows that we are adamant. There are only a few more months of jail time, but this has symbolic importance. We have not heard anything from the GOJ asking that the deal be altered."

Comment

-----

110. (C) We see no indications that the GOJ will be baited by popular calls to release the four early, although the pressure on the government to demonstrate it can do as much for its own prisoners as did Hizballah, is real. Yet, helped along by the GOJ's reticence on the subject, the headlines and rumor mill continue to churn; Nimri asserted that

discussions may be underway with Israel to permit the transfer of remaining prisoners to GOJ custody to avoid their being included in any deal Israel makes with Hamas for the release of kidnapped IDF soldier Gilad Shalit.

Visit Amman's Classified Web Site at  
<http://www.state.sgov.gov/p/nea/amman>  
Rubinstein